

Exhibit B

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case [PROPOSED] RULE 54(b) JUDGMENT
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This document relates to:

Federal Insurance Co., et al v. al Qaida, et al.
03-CV-06978 (GBD) (SN)

Whereas, this matter having come before the Honorable George B. Daniels, United States District Judge, on the application of certain Plaintiffs in *Federal Insurance Co., et al v. al Qaida, et al.*, 03-CV-06978 (GBD) (SN) (the “*Federal Insurance* Plaintiffs”), requesting that the Court extend its prior rulings on their Motion for Assessment of Damages against Al Qaeda, and later Hezbollah, to defendant the Taliban, as to which a default judgment as to liability was entered on April 7, 2006 (*Federal Insurance* Dkt. No. 626), and enter a final judgment in favor of the *Federal Insurance* Plaintiffs and against the Taliban in accordance with those prior rulings pursuant to Fed. R. Civ. P. 54(b), and the Court, on April 6, 2022, having rendered its Order, attached as Exhibit A hereto, entering partial final judgment pursuant to Fed. R. Civ. P. 54(b) against defendant the Taliban and in favor of the *Federal Insurance* Plaintiffs as set forth in Exhibit A, and awarding prejudgment interest at the rate of 4.96 percent, compounded annually, and lifting the stay imposed by Federal Rule of Civil Procedure 62(a) so that the *Federal Insurance* Plaintiffs may execute on and enforce the judgment immediately (ECF No. 7833), and further directing the Clerk of the Court to prepare and enter a final judgment, it is,

ORDERED, ADJUDGED AND DECREED: That judgment is hereby entered in favor of the *Federal Insurance* Plaintiffs and against defendant the Taliban in accordance with the Court’s Order dated April 6, 2022 as follows:

<u>PLAINTIFF</u>	<u>COMPENSATORY DAMAGES</u>	<u>TREBELED AWARD</u>
Vigilant Insurance Company	\$42,305,933.24	\$126,917,799.72
Chubb Custom Insurance Company	\$612,585.00	\$1,837,755.00
Chubb Indemnity Insurance Company	\$4,083,878.20	\$12,251,634.60
Federal Insurance Company	\$1,513,667,597.39	\$4,541,002,792.17
Chubb Insurance Company of New Jersey	\$412,681.71	\$1,238,045.13
Chubb Insurance Company of Canada	\$50,452,395.71	\$151,357,187.13
Pacific Indemnity Company	\$9,936,536.66	\$29,809,609.98
Great Northern Insurance Company	\$595,997,113.79	\$1,787,991,341.37
AXA Art Insurance Corp.	\$14,287,543.00	\$42,862,629.00
AXA Global Risks (UK) Ltd.	\$10,986,623.57	\$32,959,870.71
AXA CSA UK Branch	\$64,779,883.00	\$194,339,649.00
AXA Insurance Company	\$131,696,044.96	\$395,088,134.88
AXA Reinsurance Company	\$82,714,778.00	\$248,144,334.00
AXA RE	\$105,790,023.00	\$317,370,069.00
AXA RE Canadian Branch	\$26,138,407.11	\$78,415,221.33
AXA RE UK Plc	\$18,162,701.70	\$54,488,105.10
AXA Versicherung	\$923,053.00	\$2,769,159.00
SPS RE	\$84,305,160.00	\$252,915,480.00
American Alternative Insurance Company	\$3,922,782.07	\$11,768,346.21

Princeton Excess and Surplus Lines Insurance Company	\$3,796,292.50	\$11,388,877.50
Great Lakes UK Reinsurance Company	\$99,511,427.02	\$298,534,281.06
OneBeacon Insurance Company	\$176,514,985.40	\$529,544,956.20
TIG	\$76,084,229.30	\$228,252,687.90
Total	\$3,117,082,655.33	\$9,351,247,965.99

along with prejudgment interest at 4.96%, compounded annually, amounting to aggregate prejudgment interest of \$5,321,558,154.65.

It is further **ORDERED, ADJUDGED and DECREED** that, for the reasons stated in the Court's Order dated April 6, 2022, the Court's entry of judgment against the Taliban is certified as final pursuant to Fed. R. Civ. P. 54(b), and that the stay provided by Federal Rule of Civil Procedure 62(a) is lifted so that the *Federal Insurance* Plaintiffs may execute on and enforce the judgment immediately.

Dated: April __, 2022
New York, New York

Clerk of Court

BY:

Deputy Clerk

Exhibit A

(April 6, 2022 Order (ECF No. 7833))

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE:	:	
	:	
	:	<u>ORDER</u>
TERRORIST ATTACKS ON	:	
SEPTEMBER 11, 2001	:	03 MDL 1570 (GBD) (SN)
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GEORGE B. DANIELS, United States District Judge:

This document relates to:

Fed. Ins. Co. v. al Qaida, Case No. 03-cv-06978

Certain plaintiffs in *Fed. Ins. Co. v. al Qaida*, No. 03-cv-06978 (the “*Federal Insurance Plaintiffs*”) move for a partial final default judgment against the Taliban under Federal Rule of Civil Procedure 54(b). (Case No. 03-md-1570, ECF No. 7496.) This Motion is GRANTED.

A default judgment against the Taliban and others, including Al Qaeda and Hezbollah, was entered in favor of the *Federal Insurance Plaintiffs* on April 7, 2006. (Case No. 03-md-1570, ECF No. 1755.) The *Federal Insurance Plaintiffs*’ total damages against Al Qaeda were assessed at \$9,351,247,965.99. (Case No. 03-md-1570, ECF Nos. 2479, 2502.) This assessment was later extended against Hezbollah. (Case No. 03-md-1570, ECF No. 2582.)

Several Plaintiffs in the multi-district litigation have used judgments against the Taliban in an attempt to attach assets of Da Afghanistan Bank held in the Federal Reserve Bank of New York. (See Writ of Execution, *Havlish, et al. v. Iran, et al.*, Case No. 03-cv-9848, ECF No. 526-1.) Parties in other cases have sought prejudgment attachments of these assets as well. (See e.g., *Owens v. Taliban, et al.*, Case No. 22-cv-1949, ECF Nos. 32, 33.)

There are more than a dozen motions for default judgment against the Taliban pending in the multi-district litigation. The *Federal Insurance Plaintiffs*’ motion is the most procedurally

advanced. Liability and damages have already been determined as to Al Qaeda and Hezbollah. It is appropriate to extend these prior liability and damages determinations to the Taliban.

The Court will continue to adjudicate pending default judgment motions as efficiently as possible. The Court encourages all plaintiffs to continue to meet and propose strategies for an efficient and fair process to adjudicate pending default judgment motions.

Accordingly, for the reasons set forth in the Court's Order at Case No. 03-md-1570, ECF No. 2502, adopting the Report and Recommendation at Case No. 03-md-1570, ECF No. 2479, partial final default judgment under Federal Rule of Civil Procedure 54(b) is entered against the Taliban and in favor of the *Federal Insurance* Plaintiffs in the following amounts:


Plaintiff	Compensatory Damages	Trebled Award
Vigilant Insurance Company	\$42,305,933.24	\$126,917,799.72
Chubb Custom Insurance Company	\$612,585.00	\$1,837,755.00
Chubb Indemnity Insurance Company	\$4,083,878.20	\$12,251,634.60
Federal Insurance Company	\$1,513,667,597.39	\$4,541,002,792.17
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AXA Insurance Company	\$131,696,044.96	\$395,088,134.88
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TIG	\$76,084,229.30	\$228,252,687.90
Total Award	\$3,117,082,655.33	\$9,351,247,965.99

The *Federal Insurance* Plaintiffs are also awarded prejudgment interest at the rate of 4.96 percent, compounded annually. Pursuant to Federal Rule of Civil Procedure 62(a), the stay normally imposed under that Rule is lifted. The *Federal Insurance* Plaintiffs may execute on and enforce the judgment immediately. The Clerk of the Court is respectfully directed to prepare and enter a final judgment. To aid this preparation, the *Federal Insurance* Plaintiffs shall file a document calculating the prejudgment interest at their earliest convenience.

Dated: April 6, 2022
New York, New York

SO ORDERED.



GEORGE B. DANIELS
United States District Judge